



JPW

Patent
Attorney Docket No. 001560-381

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kengo Akimoto et al.

Group Art Unit: 1651

Application No.: 09/530,260

Examiner: Irene Marx

Filing Date: July 12, 2000

Confirmation No.: 7267

Title: PROCESS FOR PRODUCING ARACHIDONIC ACID-CONTAINING LIPID AND
DIHOMO-GAMMA-LINOLENIC ACID CONTAINING LIPID

**THIRD
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a THIRD Information Disclosure Statement and accompanying form
PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☒ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

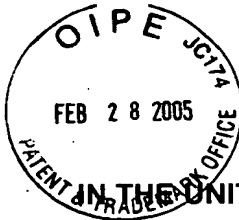
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

By


Susan M. Dadio

Registration No. 40,373

Date: February 28, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Kengo Akimoto et al.)	Group Art Unit: 1651
Application No.: 09/530,260)	Examiner: Irene Marx
Filed: July 12, 2000)	Confirmation No.: 7267
For: PROCESS FOR PRODUCING)	
ARACHIDONIC ACID-CONTAINING)	
LIPID AND DIHOMO-GAMMA-)	
LINOLENIC ACID CONTAINING LIPID)	

THIRD INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. Also enclosed is a copy of the Supplementary Partial European Search Report received in connection with the corresponding European application.

NON-PATENT DOCUMENTS

1. SHIMIZU et al., "Production of useful fatty acids by microbial processes," Recent Res. Devel. In Lipids Res., 1997, vol. 1, pp. 267-286, (XP-001026965).

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), a statement is enclosed.

I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

The Supplementary Partial European Search Report listing the document cited herein was mailed on November 26, 2004. Therefore, the last day of the three-month period set forth in the statement under 37 C.F.R. § 1.97(e) falls on February 26, 2005, which was a Saturday. Since this Information Disclosure Statement is being filed on the next succeeding business day, this statement under 37 C.F.R. § 1.97(e) should be considered timely.

THIRD Information Disclosure Statement

Application No. 09/530,260

Attorney's Docket No. 001560-381

Page 2

However, should the United States Patent and Trademark Office disagree, the Director is hereby authorized to charge the requisite fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 02-4800. This paper is submitted in duplicate.

To assist the Examiner, the document is listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date February 28, 2005

By: 

Susan M. Dadio

Registration No. 40,373

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

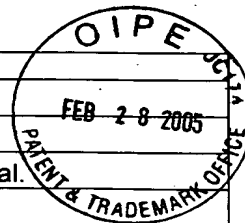
THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/530,260
Filing Date	July 12, 2000
First Named Inventor	Kengo Akimoto et al.
Examiner Name	Irene Marx
Attorney Docket Number	001560-381



U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	SHIMIZU et al., "Production of useful fatty acids by microbial processes," <u>Recent Res. Devel. In Lipids Res.</u> , 1997, vol. 1, pp. 267-286, (XP-001026965).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.